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EXAMINER
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ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 09/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *26 June 2003* .

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *7-24* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *7-24* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Respons to Amendment

1.   The Applicant's amendment A, paper#7, received on 06/26/2003 is

acknowledged and entered. Claims 1-6 are cancelled and new claims 7-24 have been

added. Currently claims 7-24 are pending for examination.

Response to Arguments

2.   Objection to drawings with regards to FIG.2 and FIG.4 made in the earlier Office

action, paper # 5, are withdrawn in view of the Applicant's arguments (see amendment,

page 7, lines 5-18) and submission of the amended FIG.4.

Rejection of claims 1 and 2 under 35 U.S.C. 101 is withdrawn as these claims

are cancelled.

Rejection of claims 1-42 under 35 U.S.C. 112, second paragraph is withdrawn as

these claims are cancelled.

Rejection of claims 1-6 under 35 U.S.C. 103 (a) is withdrawn as these claims are

cancelled

Applicant's arguments with respect to newly added independent claims 7 and 17

, "..Thus Walker addresses the problems of how to pay for ordered goods.....but does

not solve the problem how to correlate prepared orders to customers so possession of a

prepared order may be obtained at the automated check-out- counter...... " (see

amendment page 9, lines 5-11)", " Miller does not anticipate nor render obvious the new

claims 7-24.....(see amendment page 9, line 12-page 10, line 3)", and " Likewise Cupps

fails to supply....." (see amendment, page 10, lines 3-5) have been considered but are

not persuasive. The examiner observes that the applicant has attacked the references of

Walker, Miller and Cupps individually rather than a combined reference as applied to the

limitations recited in claim 4 which are closely parallel to the claims recited in the new

independent claims 7 and 16.

In response to applicant's arguments against the references individually, one

cannot show nonobviousness by attacking references individually where the rejections

are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

1986). Cupps discloses taking orders on web page and assigning an order number and

storing the assigned order number as analyzed in earlier office action (see pages 8).

Cupps did not disclose correlating assigned numbers to prepared orders but Walker

disclosed correlating assigned order numbers for payment at a POS, as analyzed in the

earlier office action (see pages 8-9). Walker dose not disclose the same intended

purpose for correlating the assigned orders to prepared orders. However, the intended

function of correlating assigned order numbers for payment or to a prepared order is a

non-functional descriptive material because the step of correlating assigned order

numbers remains the same irrespective of the fact of the intended purpose. Therefore, it

would have been obvious to a person of an ordinary skill in the art at the time of the

invention to use Walker's art of correlating assigned order numbers for payment for other

intended functions like correlating assigned order numbers for the prepared order in a

restaurant or in a garment store.

Further, Cupps/Walker does not disclose that the assigned order number is

correlated at an automatic check out station but Miller does teach correlating assigned

order number to a prepared order as analyzed in the earlier office action (see pages 9-

10). Therefore, the analysis submitted in the earlier office action on pages 8-10, stating

that Cupps/Walker/Miller disclose and solve the problem of correlating assigned order

numbers with prepared orders at an automated check-out counter is maintained.

Applicant's arguments with respect to newly added claims 7-24 have been

considered but are moot in view of the new ground(s) of rejection necessitated due to

new limitations in the claims. This is a final rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the art to which said subject
> matter pertains. Patentability shall not be negatived by the manner in which the invention was
> made.

3.1.   Claims 7, 9, 14-15, 16, 18, and 23-24 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Cupps, and further in view of Miller.

Regarding claim 7, Cupps teaches an automated cafeteria (see at least Fig.9 a

web page for automated Pizza delivery restaurant), comprising:

a cafeteria web site for presenting a menu over a public-access network and for

assigning an order number to an order comprised of menu selections

(see at least FIGs.9, 10, which show "Enzo's Pizza" web site presenting delivery

menu, FIG.11, boxes 306, 308, and 309 which shows that a customer is able to place an

order for pizza after seeing online menu on web pages and the same order is received

by an online ordering machine to process the order. The online ordering machine

corresponds to the web site of the automated cafeteria. Also see FIGs 12A-12C and

col.2, lines 19- 50, col.8, line 41-col.10, line 10. Also see col.10, lines 23-26 and FIG.6,

"...Referring to FIG.13, an entry is generated for the order in the order database 128

[step 312]. An order text file 138 is generated .....in accordance with a prescribed format

as shown in FIG.6 [step 314]. The prescribed format of the order includes an order

number [see FIG.6].) ;

a computer for viewing the presented menu and for receiving the assigned order

number;

(see FIG.1 and FIG.2. Client computer 102A....102N. Client computer enables

the viewing of the menu and receipt of the order data [see FIG.6] which includes

assigned order number. Also see col.3, line 49-col.4, line 12)

a storage unit for the assigned order number that is coupled to the computer (see

at least FIG. 2, " 119 memory" and col.4, lines 1-12, "...FIG.2 illustrates the client

computer 102....a memory 119...The memory 119 can contain the following....Internet

access procedures 122; as well as other procedures and files ". Note: the memory 119

can store the order text file which includes the assigned order number);

Cupps does not disclose the following:

a label generator for receiving the assigned order number from the cafeteria web

site and generating a label identifying the assigned order number for a corresponding

prepared order.

However, in the same field of endeavor of receiving food orders via

communication network, Miller teaches a label generator for receiving the assigned

order number from the cafeteria web site and generating a label identifying the assigned

order number for a corresponding prepared order (see at least col.4, lines 34-47, " an

employee 10 receives a phone order...... If as an option the customer may pick up an

order...", col.5, lines 13-155, "...Entry of an order....produce a printed bar code label 30

such as indicated in FIG.7. The bar code label 30 may have zones 31-40 for receiving

order data...A bar code at zone 40 may represent an order number [such as 3465]

assigned to the order by the system...an individual bar code label may be printed out by

a bar code printer........").

In view of Miller, it would have been obvious to a person of an ordinary skill in the

art at the time of the applicant's invention to modify Cupps to include the disclosed

feature of generating a label with information of the order received from the customer

such as assigned order number for the obvious reason to track and identify the orders

before being picked up at checkout station for home delivery to check if all the items of

the order are included in the delivery to the customer, as explicitly disclosed in Miller

(col.6, line 61-col.7, line 5, "...The label segment of FIG.7 or FIG.8 may be adhesively

backed......The driver checking out station 70 may include an instant bar code reader

e.g. at a fixed location 82 for reading the bar code representing the order identification

number [e.g. number 2072, FIG.8] ").

Cupps also does not also disclose the following:

an automated check-out station for receiving an assigned order number and for

verifying that the received assigned order number corresponds to the assigned order

number on the generated label for a prepared order presented to the automated check-

out station so that the prepared order may be obtained at the automated check-out

counter.

However, in the same field of endeavor of receiving food orders via

communication network, Miller teaches an automated check-out station for receiving an

assigned order number and for verifying that the received assigned order number

corresponds to the assigned order number on the generated label for a prepared order

presented to the automated check-out station so that the prepared order may be
obtained at the automated check-out counter (see at least col.4, lines 34-47, " an
employee 10 receives a phone order......If as an option the customer may pick up an
order...", col.6, line 61-col.7, line 5, "...The label segment of FIG.7 or FIG.8 may be
adhesively backed......The driver checking out station 70 may include an instant bar
code reader e.g. at a fixed location 82 for reading the bar code representing the order
identification number [e.g. number 2072, FIG.8] ". Note: The driver check-out station 70
corresponds to the automated check-out station where the bar code label is checked,
identified and verified. In order to identify and verify the order it would be inherent in the
system that the bar code reader at the check-out station 70 would have received the
assigned order number to verify and identify the order number included on the label.).

In view of Miller, it would have been obvious to a person of an ordinary skill in the
art at the time of the applicant's invention to modify Cupps to include the disclosed
feature of receiving an assigned order number and for verifying that the received
assigned order number corresponds to the assigned order number on the generated
label for a prepared order presented to the automated check-out station so that the
prepared order may be obtained at the automated check-out counter for the obvious
reason to economically and efficiently track, verify and identify the orders automatically,
without the need of human operators to do identifying, verifying the order information on
the label of the food package before being picked up at checkout station for home
delivery to check if all the items of the order are included in the delivery to the customer,
as explicitly disclosed in Miller (col.6, line 61-col.7, line 5, "...The label segment of FIG.7
or FIG.8 may be adhesively backed......The driver checking out station 70 may include
an instant bar code reader e.g. at a fixed location 82 for reading the bar code
representing the order identification number [e.g. number 2072, FIG.8] ").

Regarding claim 9, Cupps/Miller teaches a system for ordering on a web site of an automated cafeteria and correlating the assigned order as disclosed and analyzed in claim 7 above. Cupps does not disclose the following:

That the storage unit for the assigned order is a printout of a bar code corresponding to the order number; and the automated check-out station reads the printout of the bar code and verifies the assigned order number by determining whether the printout of the bar code corresponds to the assigned order number.

However, in the same field of endeavor of receiving food orders via communication network, Miller teaches that the storage unit for the assigned order is a printout of a bar code corresponding to the order number; and the automated check-out station reads the printout of the bar code and verifies the assigned order number by determining whether the printout of the bar code corresponds to the assigned order number (see at least col.1, lines 15-55, "...Entry of an order....produce a printed bar code label 30 such as indicated in FIG.7. The bar code label 30 may have zones 31-40 for receiving order data...A bar code at zone 40 may represent an order number [such as 3465] assigned to the order by the system...an individual bar code label may be printed out by a bar code printer........", col.6, line 61-col.7, line 5, "...The label segment of FIG.7 or FIG.8 may be adhesively backed......The driver checking out station 70 may include an instant bar code reader e.g. at a fixed location 82 for reading the bar code representing the order identification number [e.g. number 2072, FIG.8] ". Note: The driver check-out station 70 corresponds to the automated check-out station where the bar code label is checked, identified and verified. In order to identify and verify the order it would be inherent in the system that the bar code reader at the check-out station 70

would have received the assigned order number to verify and identify the order number included on the label.).).

In view of Miller, it would have been obvious to a person of an ordinary skill in the art at the time of the applicant's invention to modify Cupps to include the feature of storing the assigned order in a printout of a bar code corresponding to the order number; and the automated check-out station reads the printout of the bar code and verifies the assigned order number by determining whether the printout of the bar code corresponds to the assigned order number. Doing so would enable the system to prevent mix-ups involving the identity of the delivery person or pick up person responsible for the order as explicitly disclosed in Miller (col.1, lines 60- 62 and) and further enables the delivery drivers to check if they have included all the ordered items for delivery.

Regarding claims 14, Cupps/Miller disclose an automatic cafeteria system as analyzed and disclosed in claim 7 above. Cupps further does not disclose the following :

a basket for holding a prepared order, the basket having a sensor for detecting removal of a prepared order placed within the basket and generating an alarm in response to detection of such removal; and

the automated check-out counter for deactivating the basket sensor so that the prepared order may be removed from the basket without generating the alarm in response to the detection of such removal.

However, in the same field of endeavor of receiving food orders via communication network, Miller discloses a basket for holding a prepared order, the basket having a sensor for detecting removal of a prepared order placed within the basket and generating an alarm in response to detection of such removal the automated check-out counter for deactivating the basket sensor so that the prepared order may be

removed from the basket without generating the alarm in response to the detection of such removal (see at least col.6, lines 61-65, which discloses that the prepared orders are kept in boxes with labels applied to them and these boxes with labels correspond to baskets for holding the prepared order. Further, col.7, lines 46-51 discloses that labels attached to the boxes include sensor to trigger of an alarm if they are removed and further the check-out station 70 also has the ability to deactivate the alarm).

In view of Miller, it would have been obvious to a person of an ordinary skill in the art at the time of the applicant's invention to modify Cupps to include the feature of a basket for holding a prepared order, the basket having a sensor for detecting removal of a prepared order placed within the basket and generating an alarm in response to detection of such removal and the automated check-out counter for deactivating the basket sensor so that the prepared order may be removed from the basket without generating the alarm in response to the detection of such removal for the obvious reason of preventing thefts or mix-ups and at the same time if the packages are being picked up by the right person to allow them to pick up without activating the alarm.

Regarding claims 15, Cupps/Miller disclose an automatic cafeteria system as analyzed and disclosed in claim 7 above. Cupps further does not disclose the following :

an anti-theft device coupled to the basket; and

the system further comprising:

a detector for detecting the unauthorized removal of the basket from the cafeteria so that the basket sensor has to be de-activated in order for the prepared order within the basket to be removed from the cafeteria without generating an alarm.

However, in the same field of endeavor of receiving food orders via

communication network, Miller discloses an anti-theft device coupled to the basket

and a detector for detecting the unauthorized removal of the basket from the

cafeteria so that the basket sensor has to be de-activated in order for the

prepared order within the basket to be removed from the cafeteria without

generating an alarm. (see at least col.6, lines 61-65, which discloses that the prepared

orders are kept in boxes with labels including alarm triggering sensors applied to them

and these boxes with labels including alarm triggering sensors correspond to baskets

with anti-theft device along with detection device for unauthorized removal of the

baskets. Further, col.7,lines 46-51 also discloses that alarm triggering sensors have to

be deactivated to enable the delivery men to pick up the delivery boxes).

In view of Miller, it would have been obvious to a person of an ordinary skill in

the art at the time of the applicant's invention to modify Cupps to include the feature of

an anti-theft device coupled to the basket and a detector for detecting the

unauthorized removal of the basket from the cafeteria so that the basket sensor

has to be de-activated in order for the prepared order within the basket to be

removed from the cafeteria without generating an alarm. Doing so would enable

the system to prevent thefts or mix-ups and at the same time if the packages are being

picked up by the right person to allow them to pick up without activating the alarm.

Regarding claims 16, 18, 23, and 24, all limitations are covered in claims 7, 9, 14,

and 15 respectively and are therefore analyzed and rejected as unpatentable over

Cupps and further in view of Miller on the basis of same rationale.

3.2.   Claims 8 and 17 are rejected under 35 U.S.C. 103(a) as being

obvious over Cupps/Miller as applied to claims 7 and 16 above, in view of Official Notice.

Regarding claim 8, Cupps/Miller teaches a system for ordering on a web site of

an automated cafeteria and correlating the assigned order as disclosed and analyzed in

claim 7 above. Cupps/Miller does not disclose:

the storage unit for the assigned order number is a printout of the order number.

Official Notice is taken of the concept and benefits of storing the assigned order

number in a printout. It is old and well known to print copies of transactions executed

online including order confirmations, payment confirmations, etc. for the obvious reason

of referring to them in future as a proof of transaction or for receipt of an online order at

the time of pick up of a merchandise. In view of the Official Notice, it would have been

obvious to a person of an ordinary skill in the art at the time of the invention to use a

printout to store the assigned order number for later using it as a proof to collect the

order.

Regarding claim 17, limitations are covered in claim 8 and are therefore analyzed

and rejected as being obvious over Cupps/Miller and in further view of Official Notice on

the basis of same rationale.

3.3.   Claims 10-13 and 19-22 are rejected under 35 U.S.C. 103(a) as

Being obvious over Cupps/Miller as applied to claims 7 and 16 above, and further in

view of Suzuki (US Patent 6,129,274).

Regarding claims 10, Cuppa/Miller teaches a system for ordering on a

web site of an automated cafeteria and correlating the assigned order as disclosed and

analyzed in claim 7 above. Cupps/Miller does not disclose the following:

the computer is a personal digital assistant (PDA) and the storage unit for the assigned order number is internal to the PDA.

However, in the same field of endeavor i.e. electronic commerce, Suzuki teaches that the computer is a personal digital assistant (PDA) and the storage unit for the assigned order number is internal to the PDA (see at least col.9, line 56-col.10, line 18, "....The personal digital assistant 10 is preferably configured as a smart card-like IC card, which provides a suitable means for a customer to transport pertinent data between terminal locations .....and exchange pertinent data...through the use of various interface units......the customer card 10 comprises a personal memory card....suitably comprises a central processor unit [CPU] 50.....in combination with a memory store 52.....card further includes an input/output interface circuit 54 by which information is read to and written from the memory store 52....". Note: The PDA used in Suzuki allows to record and store information in the PDA and the same information can be read later to correlate and verify merchandises as demonstrated by Suzuki to help the customers to shop in a retail store without having to carry the purchases with them as they move from department to department. Details of the purchases are recorded in the PDA and when a customer terminates his/her shopping session the POS terminal is able to read the transaction details from the PDA and transmits the list of items purchased to the stock room from where the merchandise can be picked up (see at least col.7, line 58-col.8, line 14).

In view of Suzuki, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Cupps/Miller to incorporate the feature of using a personal digital assistant (PDA) and the storage unit for the assigned order number is internal to the PDA because it enables the customers to record and store information, irrespective of the type of information whether it is related to a merchandise

or an order number and for reading the same to correlate the merchandises to be picked

up at the checkout station. This ability helps to eliminate the need for printers and

printouts and to make the shopping experience economical, efficient and convenient.

Regarding claim 11, Cuppa/Miller teaches a system for ordering on a web site of

an automated cafeteria and correlating the assigned order as disclosed and analyzed in

claim 7 above. Cupps/Miller does not disclose:

a card reader coupled to the computer; and

the storage unit is a stored-value card so that an assigned order number

transmitted to the computer from the cafeteria web site may be stored by the card reader

in the stored-value card.

However, in the same field of endeavor i.e. electronic commerce, Suzuki teaches

a card reader coupled to the computer (see at least col.7, lines 14-18, "...A customer

might insert the ID card into an ID card reader/writer unit provided at the kiosk

terminal...". Note: Kiosk terminal corresponds to a computer) and the storage unit is a

stored-value card so that an assigned order number transmitted to the computer from

the cafeteria web site may be stored by the card reader in the stored-value card (see at

least col.7, lines 18-20, "..As a customer selects various items for purchase, the kiosk

terminal is able to write the information......to the customer's ID card..." and col.9, line

56-col.10, line 18, "....The personal digital assistant 10 is preferably configured as a

smart card-like IC card, which provides a suitable means for a customer to transport

pertinent data between terminal locations .....and exchange pertinent data...through the

use of various interface units......the customer card 10 comprises a personal memory

card....suitably comprises a central processor unit [CPU] 50.....in combination with a

memory store 52.....card further includes an input/output interface circuit 54 by which

information is read to and written from the memory store 52....". Note: The PDA used in Suzuki allows to record and store information in the PDA and the same information can be read later to correlate and verify merchandises as demonstrated by Suzuki to help the customers to shop in a retail store without having to carry the purchases with them as they move from department to department. Details of the purchases are recorded in the PDA and when a customer terminates his/her shopping session the POS terminal is able to read the transaction details from the PDA and transmits the list of items purchased to the stock room from where the merchandise can be picked up (see at least col.7, line 58-col.8, line 14).

In view of Suzuki, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Cupps/Miller to incorporate the feature of a card reader coupled to the computer and the storage unit is a stored-value card so that an assigned order number transmitted to the computer from the cafeteria web site may be stored by the card reader in the stored-value card. Doing so would enable the customers to record and store information in a portable device like a smart card, irrespective of the type of information whether it is related to a merchandize or an order number and for reading the same to correlate the merchandises to be picked up at the checkout station and helps to eliminate the need for printers and printouts and to make the shopping experience economical, efficient and convenient.

Regarding claim 12, Cupps/Miller teaches a system for ordering on a web site of an automated cafeteria and correlating the assigned order as disclosed and analyzed in claim 7 above. Cupps/Miller does not disclose:

a card reader coupled to the computer, the card reader for reading a stored-value card having a permanent identification number; and

the permanent identification number being transmitted to the cafeteria web site for use

as the assigned order number.

However, in the same field of endeavor i.e. electronic commerce, Suzuki teaches

a card reader coupled to the computer, the card reader for reading a stored-value card

having a permanent identification number; and the permanent identification number

being transmitted to the cafeteria web site for use as the assigned order number (see at

least col.7, lines 14-18, "...A customer might insert the ID card into an ID card

reader/writer unit provided at the kiosk terminal...", col.7, Note: Kiosk terminal

corresponds to a computer and information on incentives/loyalty points corresponds to

the stored value on the card.) having a permanent identification number and the

permanent identification number being transmitted to the cafeteria web site for use as

the assigned order number (col.3, lines 17-38 discloses issuing a smart pre-paid guest

card to identify the rightful cardholder and enable him to receive the appropriate services

and/or products at the respective services/products terminals. This feature of verifying

the identity of the right cardholder from the paid guest card at the services/product

terminal will inherently include a card reader coupled to the terminal to read the

identification number on the card and to transmit the identity information to the theme

parks computer system to correlate with the already registered identification number to

validate the use of services/products that are already pre-paid for.).

In view of Suzuki, it would have been obvious to a person of an ordinary skill in

the art at the time of the invention to modify Cupps/Miller to incorporate the feature of a

card reader coupled to the computer, the card reader for reading a stored-value card

having a permanent identification number and the permanent identification number being

transmitted to the cafeteria web site for use as the assigned order number) because it

provides efficient and convenient personalized shopping assistance by allowing the

customer not to carry any cash or additional printed receipts to authorize him to use the

product/services already pre-paid for, as explicitly disclosed in Suzuki (col.3, lines 17-

39).

Regarding claim 13, Cupps/Miller teaches a system for ordering on a web site of

an automated cafeteria and correlating the assigned order as disclosed and analyzed in

claim 7 above. Cupps/Miller does not disclose:

the check-out station deducts an amount corresponding to the prepared order

identified by the assigned order number from an added-value card.

However, in the same field of endeavor i.e. electronic commerce, Suzuki teaches

that the check-out station deducts an amount corresponding to the prepared order

identified by the assigned order number from an added-value card (see at least col.3,

lines 17-38 which discloses issuing a smart pre-paid guest card to be also used as a

debit system. This smart card identifies the rightful cardholder and enables him to

receive the appropriate services and/or products that have been paid for and written into

the memory store of the card at the respective services/products terminals. The

service/product terminals correspond to the check-out station and the service/products

to be used by the guest correspond to the prepared order such that the debit system of

the smart card allows deduction of an amount corresponding to the service/prepared

order.).

In view of Suzuki, it would have been obvious to a person of an ordinary skill in

the art at the time of the invention to modify Cupps/Miller to incorporate the feature of the

check-out station deducting an amount corresponding to the prepared order identified by

the assigned order number from an added-value card because it provides efficient and

convenient personalized shopping assistance by allowing the customer not to carry any

cash or additional printed receipts to authorize him to use the product/services already

pre-paid for, as explicitly disclosed in Suzuki (col.3, lines 17-39).

Regarding claims 19-22, limitations are parallel to the limitations of claims 10-13

respectively and are therefore analyzed on the basis of same rationale.

Conclusion

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Yogesh C Garg whose telephone number is 703-306-

0252. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Yogesh C Garg
Examiner
Art Unit 3625

YCG
September 07, 2003.

WYNN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600